

IN THE FEDERAL DISTRICT COURT FOR
THE DISTRICT OF DELAWARE

BRIAN NEEFE, individually and : JURY TRIAL
as next of friend to LACEY KNUTSEN, : DEMANDED

Plaintiffs,

v. :

GARY LAYFIELD AND DELAWARE :
STATE POLICE, :

Defendants. :

**MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF IN
OPPOSITION TO DEFENDANTS MOTION FOR SUMMARY JUDGMENT**

NOW COME the Plaintiffs, by and through their attorney,
and respectfully represent:

1. That this case involves a civil rights complaint
in which trial is scheduled on November 29, 2005.

2. That defendants filed a Motion for Summary
Judgment with accompanying brief on August 22, 2005.

3. That plaintiffs counsel was on vacation outside
the State of Delaware and did not return to his office until
September 6, 2005 and thus had no notification of the motion
until that date.

4. That a Mediation Conference is scheduled before
the Honorable Mary Pat Thyng on September 19, 2005.

5. That due to plaintiffs counsel's schedule, which
includes catching up with the work necessary after coming
back from a two week vacation plaintiff requests an
extension of time until September 23, 2005 to file the

Answering Brief in Opposition to the Motion for Summary Judgment.

6. That the position of Michael Tupman, Esquire, attorney for the defendants with regards to this request is that he does object.

WHEREFORE, Plaintiff respectfully prays for an extension of time until September 23, 2005, to file the Answering Brief in Opposition to defendants Motion for Summary Judgment.

LAW OFFICE OF
EDWARD C. GILL, P.A.

/s/Edward C. Gill
Edward C. Gill, Esquire
Attorney for Plaintiff
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Dated:

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ORDER

After having carefully considered plaintiffs Motion for Extension of Time to File Answering Brief, IT IS HEREBY ORDERED that plaintiff is hereby afforded until September 23, 2005 to file an Answering Brief in Opposition to defendants Motion for Summary Judgment.

JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of September, 2005, I caused to be served by electronic filing, and by first-class mail, postage prepaid, two hard copies of the foregoing Motion for Extension of Time to File Answering Brief in Opposition to Defendants Motion for Summary Judgment:

W. Michael Tupman, Esquire
Department of Justice
Kent County
102 West Water Street
Dover, Delaware 19904

by United States Mail with postage prepaid.

/s/Edward C. Gill
Edward C. Gill